RESOLUTION NO. 2025-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT AMENDING THE CIVIL PENALTIES SCHEDULE

WHEREAS, Fremont Municipal Code Section 1.20.080 and California Government Code Section 36901 provide the authority for the City of Fremont ("City") to adopt civil penalties for violations of the Fremont Municipal Code; and

WHEREAS, illegal dumping negatively affects the public health and safety and the environment, including water resources; and

WHEREAS, proper separation of waste and hauling in accordance with established local policies reduces environmental harm, increases recycling and diversion of solid waste bound for landfills; and

WHEREAS, the City has been experiencing increased illegal dumping and unauthorized haulers in recent years; and

WHEREAS, fines for illegal dumping have not been increased since 1968 and the cost to dispose of the waste is higher than the fine; and

WHEREAS, by increasing the fine for illegal dumping to an amount that exceeds the cost of proper disposal, the City may reduce the frequency of illegal dumping incidents, protecting the public health and safety and the environment; and

WHEREAS, the City Council considered the information set forth in the staff report dated November 18, 2025, as well as any information submitted to the City Council during its deliberations on this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FREMONT RESOLVES AS FOLLOWS:

SECTION 1. The Civil Penalties Schedule, as set forth in Exhibit A, attached hereto and incorporated herein, is adopted (additions are shown as underlined text and deletions as strikethrough).

SECTION 2. This Resolution shall be effective on the day adopted by City Council and shall supersede any prior adopted resolution(s) that conflict with this Resolution.

ADOPTED November 18, 2025 by the City Council of the City of Fremont, by the following vote:

AYES: Mayor Salwan, Vice Mayor Zhang, Councilmembers Keng, Campbell, Kimberlin, and Liu

NOES: None

ABSENT: Councilmember Shao

ABSTAIN: None

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

CIVIL PENALTIES SCHEDULE

Civil penalties for violations of the obligations and prohibitions of each of the listed Titles, Chapters, Articles and Sections of the Fremont Municipal Code shall be as follows:

NOTE: A WARNING NOTICE IS REQUIRED FOR ALL ZONING, BUILDING, ELECTRICAL, OR OTHER SIMILAR STRUCTURAL VIOLATIONS UNLESS THE VIOLATION CREATES AN IMMEDIATE DANGER TO HEALTH AND SAFETY. THE SYMBOL ^ INDICATES CODE SECTIONS THAT ARE NOT DEEMED "ZONING" FOR THE PURPOSE OF WARNING NOTICES. NOTICE IS NOT REQUIRED FOR ANY ^ SECTIONS IN THIS SCHEDULE.

NOTE: THE SYMBOL "+" INDICATES POTENTIAL CORRECTABLE VIOLATIONS. WHEN PROOF OF CORRECTION OR COMPLIANCE IS CONFIRMED BY AN AUTHORIZED CITY OF FREMONT EMPLOYEE, CERTAIN "+" SECTION VIOLATIONS MAY BE ASSESSED A REDUCED PENALTY OF $20.00, AT THE EMPLOYEE'S DISCRETION.

NOTE: THE SYMBOL * INDICATES THIS PENALTY IS IN ADDITION TO THE PENALTY AND INTEREST MANDATED BY SECTION 3.10.330.

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY		
		CITATION # 1	2	3
TITLE 2. ADMINISTRATION AND FINANCE				
Chapter 2.40	Prohibition on Former City Officials	$100.	200.	500.
TITLE 3. REVENUE AND FINANCE				
Chapter 3.10	Taxation	$100.*	200.*	500.*
TITLE 5. BUSINESS, LICENSES AND REGULATIONS				
Chapter 5.05	Business Taxes	$100.	200.	500.
Chapter 5.10	Adult-Oriented Business Permit	$100.	200.	500.
Chapter 5.20	Blinder Elements	$100.	200.	500.
Chapter 5.35	Commercial Solicitation and Peddlers	$100.	200.	500.

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY CITATION # 1 2 3
Chapter 5.40	Controlled Sales	$100. 200. 500.
Chapter 5.45	Entertainment Permits - Places of Entertainment	$100. 200. 500.
Chapter 5.55	Firearms Dealers	$100. 200. 500.
Chapter 5.65	Massage Establishments and Technicians	$100. 200. 500.
Chapter 5.70	Private Patrols and Funeral Escorts	$100. 200. 500.
Chapter 5.80	Public Transportation Vehicles	$100.+ 200.+ 500.+
Chapter 5.85	Registration of Guests in Hotels, etc.	$60. 120. 300.
	TITLE 6. ANIMALS	
Chapter 6.10	Animal Ownership	$60. 120. 300.
Chapter 6.20	Licensing and Vaccination	$30. 60. 150.
Chapter 6.30	Impoundment	$30. 60. 150.
Chapter 6.40	Animal Fancier's Permit	$60. 120. 300.
Chapter 6.50	Prohibited Activities	$100. 200. 500.
Chapter 6.60	Potentially Dangerous Dogs and Vicious Dogs	$100. 200. 500.
	TITLE 8. HEALTH AND SAFETY	
Chapter 8.10	Nuisance Response	$100. 200. 500.
Chapter 8.20	Dangerous Plants	$100. 200. 500.
Chapter 8.25	Weed and Waste Abatement	$100.+ 200.+ 500.+
Chapter 8.30	Regulation of Water Wells	$100. 200. 500.

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY CITATION # 1 2 3
Chapter 8.35	Hazardous Materials Management	$100. 200. 500.
Chapter 8.40	Solid Waste, Recyclables and Organic Waste Management	$60. 120. 300. Except as noted below:
Sec. 8.40.060	Maintenance of nuisance prohibited	$100. 200. 500.
Sec. 8.40.170	Business/multifamily insufficient capacity	$60. 120. 300. Per Unit
Sec. 8.40.190	Trash enclosures shall conform to zoning regulations	$100. 200. 500.
Sec. 8.40.200	Materials prohibited from disposal	$100. 200. 500.
Sec. 8.40.210	Special procedures for disposal of motor oil, construction or demolition waste, household hazardous waste	$100. 200. 500.
Sec. 8.40.230	Third-party hauler in violation of exclusive franchise agreement	$750. 1000. 1000.
Sec. 8.40.400	Unauthorized disposal	$1000. 1000. 1000.
Sec. 8.40.620	Compliance with the diversion requirement	$1000. 1000. 1000.
Article III.	Collection and Transportation	$100. 200. 500.
Article IV.	Disposal of Garbage	$100. 200. 500.
Chapter 8.45	Putrescible Waste and Keeping of Certain Animals Contributing thereto	$100.+ 200.+ 500.+
Chapter 8.50	Food Establishments	$100. 200. 500.
Chapter 8.55	Smoking Ordinance	$100.* 200.* 500.*
Chapter 8.60	Neighborhood Preservation	$100. 200. 500.

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY
		CITATION # 1 2 3
	TITLE 9. PUBLIC PEACE, MORALS AND WELFARE	
Chapter 9.05	Disorderly Conduct	$100. 200. 500.
Chapter 9.10	False Alarms	$60.+ 120.+ 300.+ Except as noted below:
Sec. 9.10.120	Suspension and revocation of permit-Grounds	$100. 200. 500.
Chapter 9.15	Firearms	$100. 200. 500.
Chapter 9.25	Noise	$100. 200. 500.
Sec. 9.35.060	Temporary street closure- Violation	$500 750 1,000
Chapter 9.45	Youth Protection	$100. 200. 500.
Chapter 9.50	Miscellaneous Crimes	$100. 200. 500. Except as noted below:
Chapter 9.55	Mobile Home Space Rent Stabilization	$100. 200. 500.
Chapter 9.60	Residential Rent Increase Dispute Resolution	$100. 200. 500.
	TITLE 10. VEHICLES AND TRAFFIC	
Chapter 10.05	Traffic regulations	$75. 135. 315. Except as noted below:
Article II.	Enforcement and Obedience to Traffic Regulations	$103. 203. 503.
Sec. 10.05.380	Heavy Trucks Off Route	$125. 185. 365.
Sec. 10.05.690(a)(5)	Parked in Blue Zone	$311.+ 311.+ 311.+
Sec. 10.05.810	Truck Parking off Truck Route	$125. 185. 365.
Sec. 10.05.820	Handicapped parking	$311.+ 311.+ 311.+
Sec. 10.05.950	Parking permit required during restricted	$ 82. 82. 82.

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY		
		CITATION # 1	2	3
Article XII.	Trains	$100.	200.	500.
Article XV.	On-Street Vehicle Sales	$33.	63.	153.
Chapter 10.10	Bicycles	$30.	60.	150.
Chapter 10.15	Skates and Skateboards	$30.	60.	150.
Chapter 10.20	Trip Reduction and Travel Demand Management	$250.	250.	250.
TITLE 12. STREETS, SIDEWALKS AND PUBLIC PROPERTY				
Chapter 12.15	Carrying of Signs and Banners at Public Events	$100.+	200.+	500.+
Chapter 12.25	Special Events and Parades	$100.+	200.+	500.+
Chapter 12.30	Maintenance of Street Trees and Sidewalks	$100.+	200.+	500.+
TITLE 15. BUILDING AND CONSTRUCTION*				
Chapter 15.10	Fremont Building Code	$130.	700.	1300.
Chapter 15.15	Fremont Mechanical Code	$130.	700.	1300.
Chapter 15.20	Fremont Plumbing Code	$130.	700.	1300.
Chapter 15.25	Fremont Electrical Code	$130.	700.	1300.
Chapter 15.30	Fremont Existing Building Code	$130.	700.	1300.
Chapter 15.35	Fire Code	$130.	700.	1300.
Chapter 15.40	Fremont Swimming Pool Spa and Code	$130.	700.	1300.
Chapter 15.45	Fremont Property Maintenance Code	$130.	700.	1300.
Chapter 15.47	Fremont Residential Building Code	$130.	700.	1300.

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY CITATION # 1 2 3
Chapter 15.40	Fremont Swimming Pool Spa and Code	$130. 700. 1300.
Chapter 15.45	Fremont Property Maintenance Code	$130. 700. 1300.
Chapter 15.47	Fremont Residential Building Code	$130. 700. 1300.
Chapter 15.48	Fremont Green Building Code	$130. 700. 1300.
Chapter 15.49	Fremont Historical Building Code	$130. 700. 1300.
Chapter 15.50	Building Security Code	$100. 200. 500.
Chapter 15.55	House Numbering	$60. 120. 300.
Chapter 15.70	Earthquake Hazard Reduction Requirements and Minimum Standards for Existing Unreinforced Masonry Buildings	$130. 700. 1300.
Chapter 15.85	Placards	$100. 200. 500.
Chapter 15.90	Demolition	$100. 200. 500.
Chapter 15.95	Repair and Reconstruction	$100. 200. 500.
For each additional violation of the same ordinance within two years of the first violation if the property is commercial property that has an existing building at the time of the violation and the owner failed to remove visible refuse or prohibit unauthorized use of the property.		$2,500.

**Adopted by Reso 2018-70*

TITLE 17. SUBDIVISIONS

Chapter 17.45	Enforcement	$100. 200. 500.

TITLE 18. PLANNING AND ZONING

Sec. 18.50.040	Performance standards	$100.^ 200.^ 500.^

MUNICIPAL CODE SECTIONS

CHAPTER/ARTICLE/SECTION	VIOLATION	PENALTY		
		CITATION # 1	2	3
Sec. 18.175.310	Actions to relocate, demolish or destroy certain identified register/potential register resources that would otherwise require no city approval	$100.^	200.^	500.^
Sec. 18.175.390	Historical resources	$100.	200.	500.
Chapter 18.183	Parking and Loading Area and Vehicle Storage	$103.	203.	503.
Sec. 18.183.150	Parking of certain vehicles prohibited	$103.^	203.^	503.^
Sec. 18.183.180	Parking and storage of vehicles and equipment on one- and two-family lots and residential streets	$103.^	203.^	503.^
Chapter 18.190	Special Provisions Applying to Miscellaneous Uses	$100.	200.	500.
Sec. 18.190.160	Firearms dealers-Warehouse and storage of firearms	$100.^	200.^	500.^
Chapter 18.193	Signs	$100.^	200.^	500.^
Chapter 18.200	Flood Damage Prevention	$100.	200.	500.
Chapter 18.205	Grading, Erosion and Sediment Control	$100.+	200.+	500.+
Chapter 18.210	Storm Water Management and Discharge Control	$350.	750.	1,000.
Chapter 18.215	Tree Preservation	$100.+	200.+	500.+

PARKING, STANDING, AND VEHICLE REGISTRATION VIOLATIONS CIVIL PENALTIES

~ Minimum penalty set by state law or Judicial Council of California

TITLE	VIOLATION	PENALTY		
		CITATION # 1	2	3
Parking Private Roads	21107.5-.8	$75.	135.	315.
Public Grounds	21113(a)	$75.	135.	315.
Parking in Bike Lane	21209(a)	$75.	135.	315.
No Stopping/Parking in Bike Lane	21211(b)	$75.	135.	315.
Freeway Parking	21718	$75.	135.	315.
Veh stopped & blocking Cross/Sidewalk	21970(a)	$75.	135.	315.
Intersection	22500(a)	$75.	135.	315.
Blocking Crosswalk	22500(b)	$75.	135.	315.
Safety Zone	22500(c)	$75.	135.	315.
Fire Station Driveway	22500(d)	$75.	135.	315.
Blocking Driveway	22500(e)	$75.	135.	315.
Sidewalk	22500(f)	$75.	135.	315.
Excavation Site	22500(g)	$75.	135.	315.
Double Parking	22500(h)	$75.	135.	315.
Bus Zone Parking	22500(i)	$283.~	283.~	283.~
Underpass	22500(j)	$75.	135.	315.
Bridge Parking	22500(k)	$75.	135.	315.
Wheel Chair Access	22500(l)	$311.~	311.~	311.~
Fire Lane Parking	22500.1	$75.	135.	315.

TITLE	VIOLATION	PENALTY		
		CITATION # 1	2	3
Parking from Curb	22502(a)	$75.	135.	315.
Wrong Way Parking	22502(b)(2)	$75.	135.	315.
Unincorporated Area Parking	22504(a)	$75.	135.	315.
No Parking Posted on State Highway	22505(b)	$75.	135.	315.
Handicapped Zone	22507.8(a-c)	$311.~	311.~	311.~
Parking from Curb	22502(a)	$75.	135.	315.
Wrong Way Parking	22502(b)(2)	$75.	135.	315.
Unincorporated Area Parking	22504(a)	$75.	135.	315.
No Parking Posted on State Highway	22505(b)	$75.	135.	315.
Handicapped Zone	22507.8(a-c)	$311.~	311.~	311.~
Fire Hydrant Parking	22514	$75.	135.	315.
Unattended Vehicles	22515(a), (b)	$75.	135.	315.
Persons Locked in Auto	22516	$100.	200.	500.
Door Open to Traffic	22517	$100.	200.	500.
Vending Near Freeway	22520.5	$100.	200.	500.
Railroad Track	22521	$75.	135.	315.
Handicapped Sidewalk Access Blocked	22522	$311.~	311.~	311.~
Abandonment	22523(a), (b)	$311.~	311.~	311.~
Blocking Intersection	22526(a), (b)	$103.	203.	503.
Expired Tabs	22651(o)	$75.	135.	315.
Vehicle with unlawful lamps	24003	$75.	135.	315.
No Headlights	24400	$75.	135.	315.

TITLE	VIOLATION	PENALTY		
		CITATION # 1	2	3
Modification of Vehicle Equip	26101	$75.	135.	315.
Cracked Windshield	26700	$75.	135.	315.
Tinted Windows	26708(a)	$75.	135.	315.
No Rearview Mirror	26709(a)	$75.	135.	315.
No Side Mirror	26709(b)	$75.	135.	315.
Defective Windshield/Rear window	26710	$75.	135.	315.
No Gas Cap	27155	$75.	135.	315.
Bald Tire	27465(b)	$75.	135.	315.
Fenders and Mudguards	27600	$75.	135.	315.
No Bumpers	28071	$75.	135.	315.
Expired Tags	4000(a)	$75.	135.	315.
Registration Required	4000.4(a)	$75.	135.	315.
CA Registration Required	4152.5	$75.	135.	315.
Presentation of Evidence of Reg	4462(a)	$75.	135.	315.
Reg presented for wrong vehicle	4462(b)	$75.	135.	315.
Unlawful Act w/ Clean air sticker	4463(e)	$75.	135.	315.
Altered Lic Plate Displayed on Vehicle	4464	$75.	135.	315.
Display of License Plate	5200	$75.	135.	315.
Position of License Plate	5201(a)	$75.	135.	315.
Lic Plate Cover to not obstruct	5201(b)(2)	$75.	135.	315.
Covered Plates	5201(e)	$75.	135.	315.
Registration Tab on Plate #	5204(a)	$75.	135.	315.